

Applicant : Neal A. Brown  
Serial No. : 09/875,209  
Filed : June 4, 2001  
Page : 6 of 7

Attorney's Docket No.: 10431-005001

### REMARKS

In view of the following remarks and the foregoing amendments, reconsideration and allowance are respectfully requested.

Claims 1-39 and 41-49 are pending at the time of this action, with Claims 1, 9, 25-27, 33, 34, 39 and 46 being independent.

Claims 30, 37-38 stand rejected under 35 U.S.C. 112 , first paragraph, as allegedly failing to comply with the enablement requirement. Claims 11-12 stand rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. Claims 1-4, 10, 13-20, 22-24, 34, 36, 39, and 42-49 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Pollack '286 in view of Ouellet (US 2663276). Claims 5-8, 11, 35, 37, and 41 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Pollack in view of Ouellet as applied to claims 1, 34, 39 above, and further in view of Smith '504. Claim 21 is rejected under 35 U.S. C. 103(a) as allegedly being unpatentable over Pollack in view of Ouellet as applied to claim 20 above and further in view of Purcell, Jr. or Payne (US 3614032, 3763810). Claims 25, 28, and 30-32 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Pollack in view of Ouellet '276 and Watson (US 4300855). Claim 29 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Pollack in view of Ouellet and Watson as applied to claim 25 above, and further in view of Smith '504 or Brahtz '352.

Claims 9, 26, 27 and 33 are allowed.

Claims 1-8, 10-25, 28-32, 34-39, and 41-49 are currently cancelled.

Applicant : Neal A. Brown  
Serial No. : 09/875,209  
Filed : June 4, 2001  
Page : 7 of 7

Attorney's Docket No.: 10431-005001


Conclusion

In view of the amendments and remarks herein, the Applicants respectfully request issuance for allowed Claims 9, 26, 27 and 33. The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, the arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

We have asked that fees for the Petition For Three-Month Extension of Time be charged to our deposit account 06-1050. If any other charges are due, please apply those as well.

Respectfully submitted,

Date: June 1, 2006

  
Dwight U. Thompson  
Reg. No. 53,688

Fish & Richardson P.C.  
PTO Customer No. 20985  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

DUT/jhg  
10581521.doc